

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

In the Matter of)

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Amendment of Parts 2 and 15 of the)
Commission's Rules to Deregulate the)
Equipment Authorization Requirements)
for Digital Devices)

ET Docket No. 95-19

REPLY COMMENTS

The Telecommunications Industry Association User Premises Equipment Division ("TIA") hereby files these Reply Comments in response to the FCC's Notice of Proposed Rulemaking released February 7, 1995, FCC 95-46 ("NPRM"). In its NPRM the Commission proposes to amend Parts 2 and 15 of its rules to streamline equipment authorization requirements for personal computers and personal computer peripherals. The Commission is proposing to relax the equipment authorization requirements for these devices from FCC certification to a new equipment authorization process based on a manufacturer's or supplier's declaration of compliance or more specifically, a "Declaration of Conformity."

TIA Supports Regulatory Programs That Achieve Their Purposes With Minimal Burdens on Manufacturers.

TIA's User Premises Equipment Division ("UPED") represents manufacturers and suppliers of communications equipment that is used at the user's premises. Some of this equipment, such as modems or fax/modems, also

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connects with or is included in personal computers. Thus, TIA members will be affected by any rules adopted as a result of this NPRM.

The Information Technology Industry Council ("ITI"), which represents manufacturers, integrators and service providers of the information technology industry, filed its Comments on June 5, 1995, in this proceeding. TIA shares many of the same views of ITI and its members. The market is becoming more global. Manufacturers want one set of technical requirements, want to test their products to those requirements one time (at a competent test facility), and then sell the products worldwide. As ITI states at pages 6-7 of its Comments:

Many ITI members market products throughout the world, introducing on a global basis the technological advances developed domestically. For such manufacturers, the need to standardize on one, universally acceptable, authorization program, rather than undergoing differing equipment procedures in each country in which a device might be marketed, is critical to the success of their global strategies, and to their ability to sustain growth in their exports that create jobs and prosperity for the domestic economy.

The same is true of TIA members. TIA, thus, agrees with ITI and supports "a properly focused and enforced self-implementing Declaration of Conformity authorization program" (ITI at 8-9, emphasis in original) The NPRM's Declaration of Conformity proposal is a step in the right direction.

TIA also agrees with ITI (page 12) that a Declaration of Conformity program will also facilitate international negotiations for a standardized, global authorization program. Mutual Recognition Agreements and other agreements can facilitate marketing of products built to international requirements without the

need for subsequent re-testing and type approvals. The FCC notes efforts (NPRM, footnote 14) under the North American Free Trade Agreement ("NAFTA"), the Asia Pacific Economic Community ("APEC"), and the Organization of American States' Inter-American Telecommunications Commission ("CITEL"), to accept test results from laboratories in other countries, to promote regional harmonization procedures for the certification of telecommunications equipment and to promote greater consistency in the authorization processes. TIA supports all these regional activities as steps towards a global authorization process. Regulatory programs should achieve their legitimate goals with as little burden and delay on manufacturers and their customers as possible. Time to market is an increasingly competitive concern and the regulatory processes should be streamlined as much as possible without sacrificing the goal of keeping non-complying equipment out of the market.

Labeling Should Be Clear and Simple And Head in the Direction of a Global Label.

In its Comments (footnote 9) ITI noted the movement towards internationally recognized labels and logos, and suggests at least a standardized mark for NAFTA recognition. ITI included several proposals for labels in its Comments.

TIA is the USA Secretariat to the Consultative Committee Telecommunications ("CCT"), a private sector-led group working to implement Chapters 9 and 13 of NAFTA related to telecommunications equipment and services. In this regard, the CCT periodically meets and reports its progress to

the NAFTA Telecommunications Standards Subcommittee ("TSSC"), the governmental group working to implement NAFTA.

The CCT has Working Groups in various areas including Electromagnetic Compatibility ("EMCWG"). In the NPRM, footnote 8, the FCC noted the NAFTA general harmonization of technical standards and equipment authorization requirements for various types of products and asked for comment on whether a NAFTA label might be more appropriate.

This labeling issue was discussed at the CCT meetings held in Denver, Colorado the week of June 19th, 1995, and the consensus position of the delegates from the USA, Canada, and Mexico is reflected on the attached "Report of the EMCWG to the Plenary Meeting of the CCT," June 23, 1995, Denver, CO, CCT-95-037-E. This draft proposal will be further discussed and a final proposal is expected to be prepared at the September 1995 meeting of the CCT and then be submitted to the TSSC.

The CCT EMCWG proposes that manufacturers have the option of placing an EMC label bearing the indication "CISPR22/A(B)" on their products. Such a label could be recognized as an alternative to existing and proposed EMC labeling requirements on equipment in the NAFTA countries. The purpose of the label would be to stipulate the product's compliance with the requirements of the electromagnetic interference standard CISPR 22 levels A or B (respectively). The indication CISPR22/A(B) could be incorporated in a symbol which can be registered as a trademark.


TIA agreed to file a copy of the CCT EMCWG's Report with the FCC in this Docket.

CONCLUSION

The FCC should act quickly to streamline the rules for equipment authorizations and establish processes and labeling requirements that head in the direction of global, harmonized authorization programs. TIA is prepared to support such efforts.

Respectfully submitted,

Telecommunications Industry Association
User Premises Equipment Division

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Report of the EMCWG to the Plenary Meeting of the CCT

June 23, 1995, Denver, CO

EMC Labelling

The following position is the consensus of the EMC Working Group:

In order to facilitate regulatory harmonization, oversight and enforcement and to minimize cost to the consumer, the CCT (Working Group on EMC) has prepared the following draft proposal. This draft proposal will be discussed with private industry in Mexico and Canada. A final proposal will be prepared at the September 1995 meeting and be submitted to the TSSC.

The CCT (Working Group on EMC) proposes that manufacturers have the option of placing an EMC label bearing the indication "CISPR22/A(B)" on their products.

We suggest that such a label be a recognized alternative to existing and proposed EMC labelling requirements on equipment in the NAFTA countries.

The purpose of such a label will be to stipulate the product's compliance with the requirements of the electromagnetic interference standard CISPR 22 levels A or B (respectively). More detailed information with respect to such issues as importation, testing and registration could then be more fully explained in the appropriate languages within the product documentation.

The indication "CISPR22/A(B)" would be incorporated in a symbol which can be appropriately registered as a trademark.

CCT (EMCWG) considers existing and proposed EMC labelling requirements to be excessive. These do not generally provide useful information for consumers, while requiring a large amount of space on products which are becoming increasingly miniaturized. The proposed new label would be language-neutral, would clearly stipulate the standard used, would take up little room on the product, and, because of the possibility of adding information in product literature, would not impinge or be dependent upon any other issues (eg. Mutual recognition). In addition, the use of a symbol which can be appropriately trademarked will provide enforcement and control opportunities for each country.

The implementation of this labelling would mirror the CCT's recommended timetable for NAFTA implementation of the CISPR 22, as stated referenced in the NAFTA TSSC Summary Report on the Sixth Meeting. This would allow the optional use of existing labels until 1999.

Immunity

A matrix will be prepared, comprising immunity requirements for both radio and non-radio products. A framework for this matrix will be prepared for the September 1995 meeting.

Framework

The proposal has been made that a meeting of the EMCWG be held in Mexico City in November. One day and 1/2 are requested for the September meeting.